

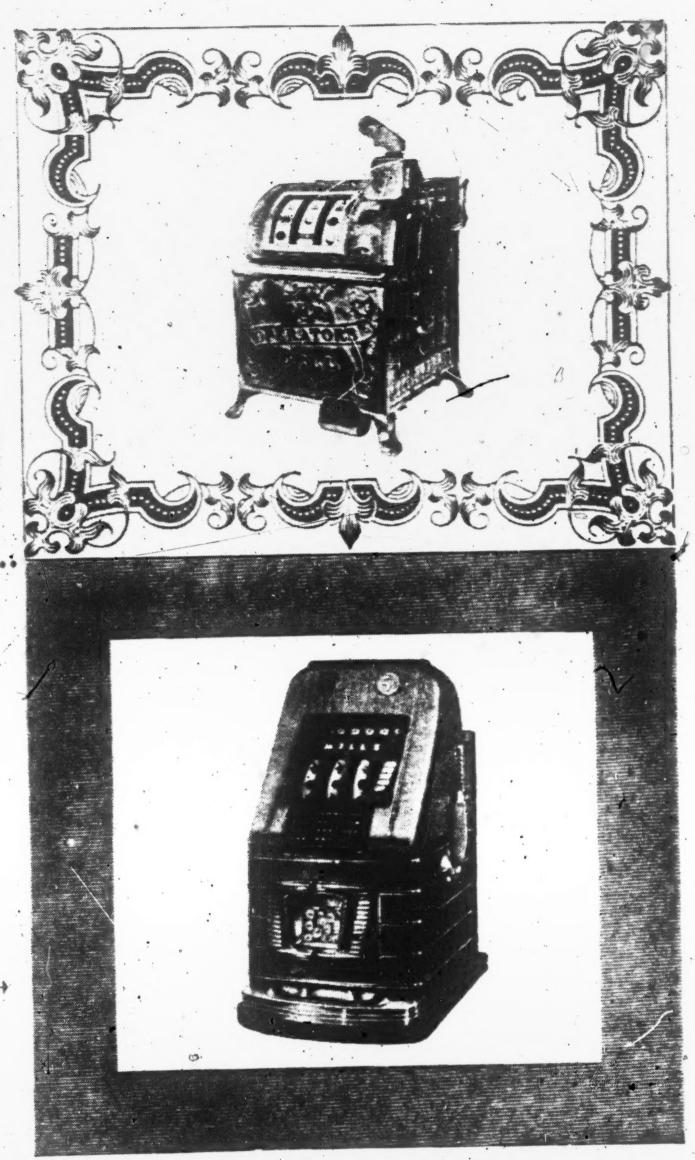
THE SAN FRANCISCO DAILY NEWS in 1935 published a series of cartoon sketches depicting "It Started in San Francisco." The above sketch shows the first slot machine made by Charles Fey in 1889. (Sketch courtesy of Walter Tratsch, A. B. T. Manufacturing Company, Chicago.)

the Iron Case . Bel!

1907

1947

Sexiel Bell

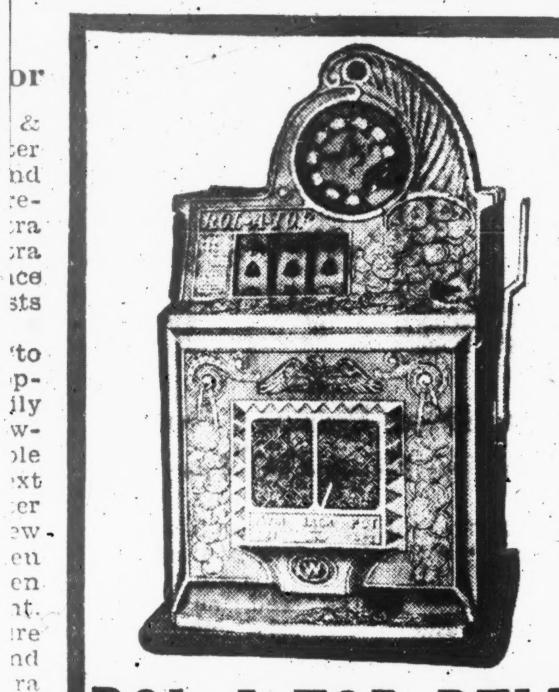


This sturdy little moneymaker gave excellent performance and brought big revenue to its operators—it was the best Bell of its time. Today Mills again takes the lead, this time with the most beautiful, most modern Bell ever built—THE JEWEL BELL!

BELL.O. MATIC CORPORATION

The Billboard

65



## ROL-A-TOP BELL

at of

ly

ed

WE

су

in

n--

he he

5-

10

cnly The above machine is the first and only Bell type machine on the market with a coin top showing the last 8 coins, the best protection against slugs.

Built in 3 Models, Bell, Front Vender and Gold Award Built for 1c-5c-10c-25c Play

Made Only By

## WATLING MFG. CO.

4640-4660 W. FULTON ST. CHICAGO, ILL.

Est. 1889—Tel.: COLumbus 2770.
Cable address "WATLINGITE" Chicago

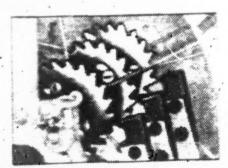
Exhibit A-3

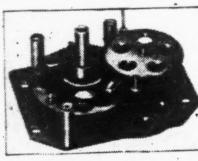
SALVER CHARLES Greatest
JACKPOT BELL
EVER MADE

CHROMIUM PLATED FRONT

## REELS CAN'T

NEW INTERLOCKING STOP LEVERS





## NEW HEAVY DUTY

WITH STRUMED MESH GEAR DESIGN ELIMINATING MASHED TELTH OVER-SIZE FAWLS ON CLOCK GEARS

## SMOOTH OPERATING PERFECTION

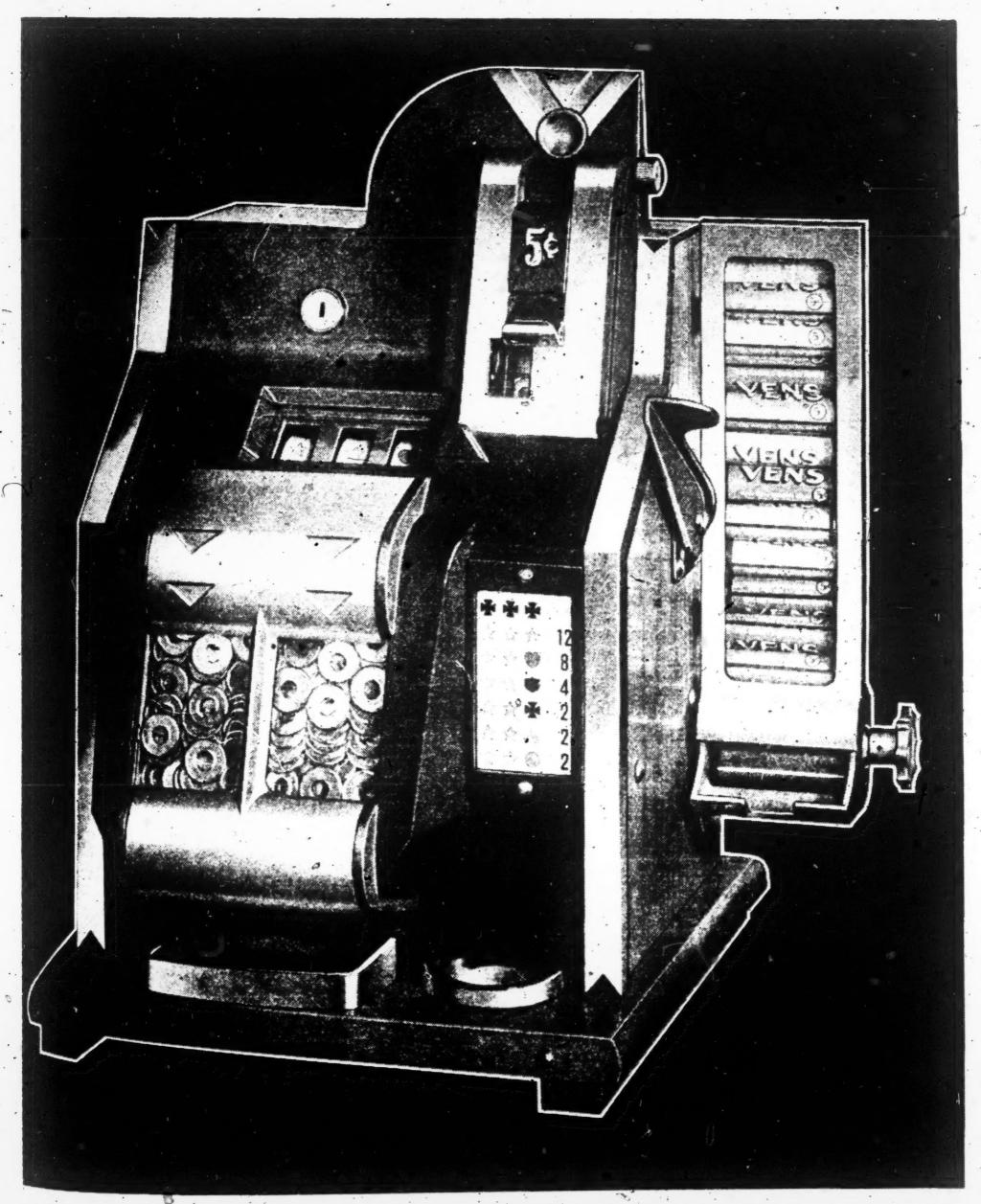
EMINTERRUPTED PERFORMANCE ASSURES A FULL CASH BOT AND MINIMUM SERVICE CALLS

SEE FOR YOURSELF - 10 DAYS TRIAL OFFER

WEITE OR WIRE FOR IMMEDIATE SHIPMEN

OVER 32 YEARS MANUFACTURING COIN OPERATED DEVICES SUBSTANTIAL AND DEPENDABLE

O. D. JENNINGS & COMPANY



Li QT Automatic Bell and Vender · Best Seller of All Best Sellers · Doesn't Know the Meaning of the Phrase "Service Call!"

BELLS

1c . . . \$47.50 Plus Tax 5c . . . \$52.50 Plus Tax

10c . . . \$54.50 Plus Tax

## VENDERS

1c . . . \$49.50

5c . . \$57.50

10c...\$59.5

SOLD ONLY TO OPERATORS . YOUR JOBBER HAS Q. T.

give cash awards for high scores, low scores, extra balls, white lights, red lights, red-haired players holding even-numbered Social Security cards, and so forth\* To this extent the free-game machine is a putative gambling device exactly like its non-free-game counterpart—and also exactly like the efficient, gravity-powered, durable and widely circulated device, manufactured by Uncle Sam, which is characterized by symbols colloquially known as "heads and tails."

The gaming machine—the device capable of bona fide distinction from its innocuous simulators—is the one which awards free games and then records those which are awarded but not actually played off. There is nothing in the statutes under consideration in this case, nor anything in the pertinent legislative history, that suggests rejecting this distinction. The Treasury Department impliedly recognizes it (Regulation 59, Section 323.22, 26 C.F.R.) in characterizing as gaming devices only those pin-ball machines "with respect to which unused 'free plays' are redeemed in cash.'' (Emphasis added).

In the Model Anti-Gambling Act, drafted by the American Bar Association Commission on Organized Crime in 1952 and approved and promulgated by the National Conference of Commissioners on Uniform State Laws,\*\* the phrase "gambling device" is controlled by a definition similar to the generic definition contained in Section 4462(a)(2),\*\*\* and reading as follows:

"... any device or mechanism by the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as a result of the operation of an element of chance..."

The drafters of the Model Act then acknowledge precisely the distinction being urged here by providing, as an optional

<sup>\*</sup> Cf., Lytle v State, 50 Tex. Cr. App. 614, 100 S.W. 1160 (1907).

<sup>\*\*</sup> Commission on Organized Crime, "Organized Crime and Law Enforcement," N.Y., The Grosby Press (1952), pp. 57-91.

<sup>\*\*\*</sup> Quoted supra, at page 8.

addition to sanction the non-gaming and innocuous free play machines:

"[But in the application of this definition an immediate and unrecorded right of replay mechanically conferred on players of pinball machines and similar amusement devices shall be presumed to be without value.]"

In sum, then, it is respectfully urged that petitioner's reference to the award of free plays as a test, per se, of the gaming character of these machines should be disregarded in disposing of this case; if the reference is not disregarded, it should be corrected and clarified by adding some explanatory reference to the recording feature which is, in fact, the vitiating element.

#### CONCLUSION

This amicus curiae respectfully supports the position of the petitioner, the United States, believing that the machines in issue are plainly "so called 'slot' machines" subject to tax at the \$250 rate, that they are not amusement machines and cannot be identified with the latter to qualify for the \$10 rate, and that it was grossly erroneous to limit the statutory definition of gaming devices to the type of machine commonly known as the "bell" or "one-armed bandit" type. Therefore the opinion of the Circuit Court should be reversed, and the ruling of the District Court should be sustained. If this Honorable Court comments on petitioner's allusion to free plays, it should also explain the importance of the recording device which adapts free plays to gaming operations.

Respectfully submitted,

Rufus King

Downey Rice Rice and King Washington, D. C. Southern Building Washington 5, D. C.

Attorney for Movant

Of Counsel for Movant

<sup>&</sup>quot;Commission on Organized Crime, "Organized Crime and Law Enforcement," N.Y., The Grosby Press (1952), p. 65.

- \*New!
- \* Efficient!

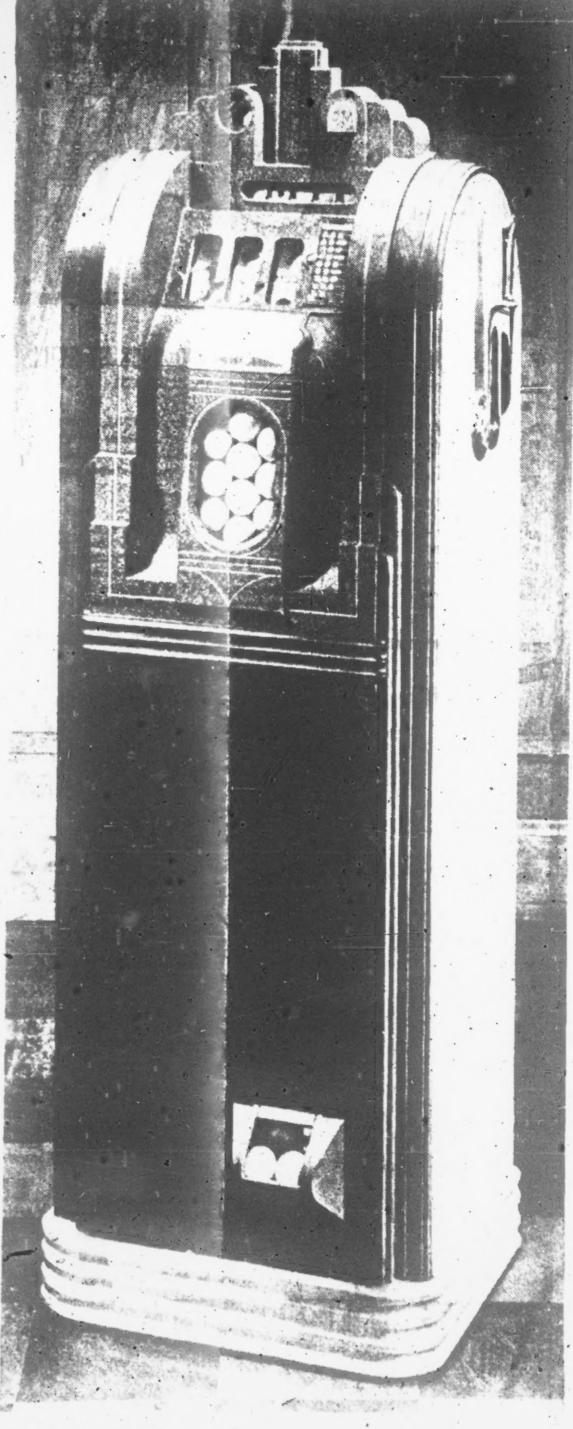
  \* Perfect!

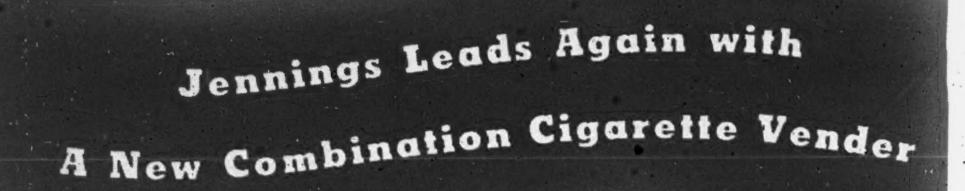
## ILLS GOLF BALL VENDER ----

- Duilt exclusively for Golf Chairs, a vine me and thine of its kind to do everything a golf frell to an should do.
- As a full fledged Vender but it pare ments or checks but strictly in Croft [Cit]
- Every coin played in is registered, heart hall pard? all is registered.
- Capacity 130 to 150 Golf Balls, It super yourse to live service, protects you against a needless of time and effort.
- It is entirely automatic, works just like a Mile Mystery. It comes in a beautiful cabure, and through I large merchandise display want on Some of Balls, all of them nationally adverted
- If the machine runs out of Pall losded by the Pro. Lach hall be if registered. The Pro sells all his balls at highest perco charging them against the east box.
- Be the first to offer this marvel to all the clube to your district, showing them what a configurations can put in the treasury and how it can make the Club the most popular place in town!
- \* This brand new Malle machine opens open siew" form of operation. Go after the paicy golf hall business'.

MILLS NOVELTY COMPANY 4100 Fullerton Avenue, Chicago

Prompt Delivery Winter for Special Qualitions







As always, the Leader in new engineering developments which have made it possible for wide awake coin machine, men to continue profitable operations, fennings engineering genius has produced and offers Ciga Rolla - the machine which, instead of paying cash or check awards automatically delivers packaged afgarettes, in awards of one to ten packages.

Because it's new — because it's different a because it delivers merchandise awards, not checks or cash — you can operate C gs Paula in many a stricts where other machines are not permitted. New locations are available. Letter paying spots, where ordinary machines are entirized by patrons and the patrons welcome Ciga Rolla.

Ciga-Rolla is engineered to make money not only for the operation of the sealing really sells merchandise, locations will demand the owner.

You're right — it plays like a bell — on winning combined manager selects brand or assortment of brands desired. The famous Chief manager was a winning tive reel stop development known throughout the indistry for an entire fection of operation guarantees uninterrupted service.

The entire country has been waiting for a new development is a house of more the solution to that big problem. "If I could only run as solved was joinings Ciga-Rolla."







"Flayer drops a nickef, pulls - Zhwis a commit - Action to the commit - Action to the committee handle and the came a spin - Action to the committee what player appeals

Teage Note Temining a nimeric section for the Tipe R is the Temporary and the Tipe R is the Temporary and the Tipe R is the Temporary and the Temporary R is the Temp

O. D. JENNINGS & COMPANY

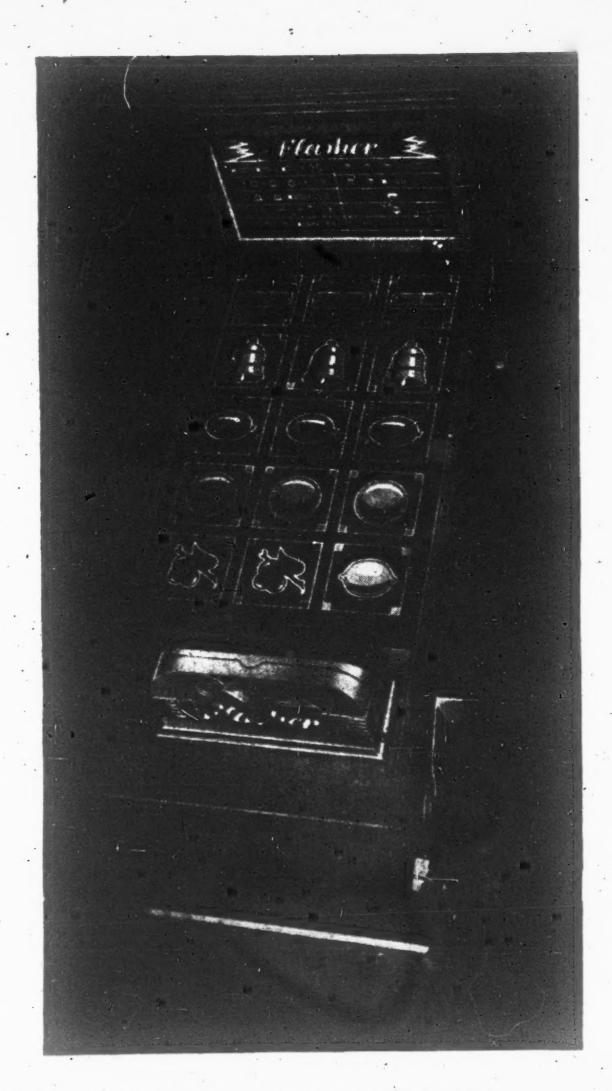


Jumbo Payout and Jumbo Free Play can now be purchased with special skill field attached which now makes this amazingly popular console into a bona fide pin table of a new shape. Order your skill Jumbos prompily!

MILLS NOVELTY COMPANY, 4100 FULLERTON AVENUE, CHICAGO

n





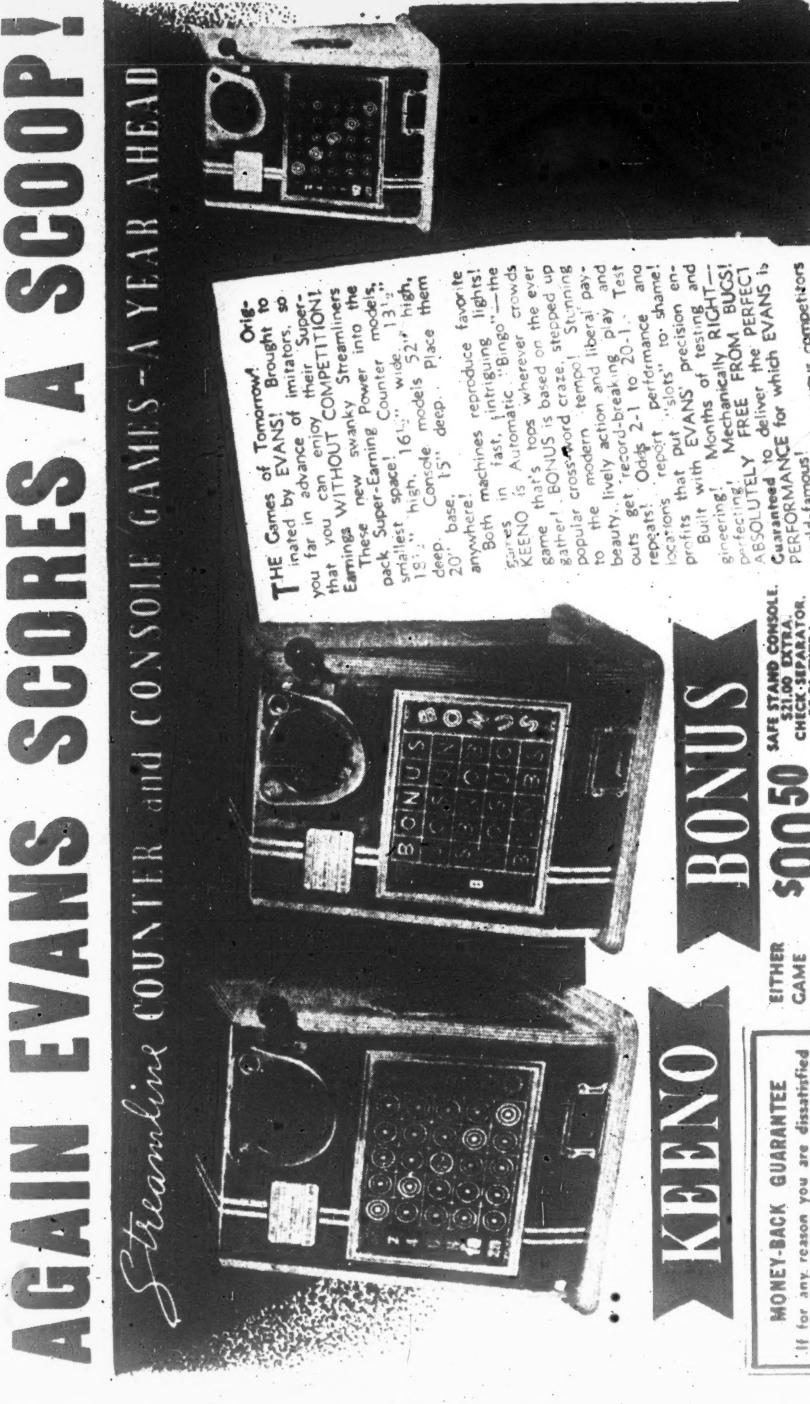
Company. Nothing like it has ever before appeared. It's a table! It's a game! It's a bear! No balls to shoot but more fascinating than any ball game you ever saw. A Bell in every meaning of the word, but a new bell, illuminated, dramatized, simplified! Player deposits nickel and pulls handle. Nothing else to bo. Glass is divided into 15 squares, each about 5 inches, showing mammoth bars, bells, plums, oranges, and cherries. ONLY ONE LEMON appears on the entire field. Lights flash from one character

to the other, and finally stop on three characters. The regular Bell award system—including JACKter is used, and rewards delivered automatically. Immediate delivery.

FOR CHICAGO

\$14950

MILLS NOVELTY COMPANY
4100 FULLERTON AVE. CHICAGO, ILL.



SOO 50 SAFE STAND CONSOLE. SZILOD EXTRA. CHECK SEPARATOR. 37.30 EXTRA. EITHER ounter ZAME

Plus Iax Model within 10 days from date of delivery GUARANTEE refund your Came EVANS MONEY-BACK

Cet the jump on your competitors putting these Super-Money-

world-famous!

Makers into your locations at once.

CHECK

SEPARATOR. SIT.30 EXTRA.

MINT

\$12.50 EXTRA

immediately on our Money-

\*

WE

AUR

CREATORS OF GAMES OF THE FUTURE

· CHICAGO ADAMS ST., 1522-28



Exhibit B-7



PATENTED REMOTE PAYOUT CONTROL

# PERFECT WHERE AMUSEMENT GAMES ONLY ARE PERMITTED!

cames in one with amazing new to meet every location requirement!

It is operated for payout, checks, ticket in the countries of the countries of the countries. Answers your problem of the top profits, everywhere!

ALEAH SPECIAL gives racing fans
UBLE chances to win' First by pinplay, matching pelection indicated,
no hole is made, then FREE PLAY on
noner-Lite comes to any player may
I, win! Odds 2-1 to 40-1!

ANS' REMOTE PAYOUT CONTROL

oit 16" wide, st long, it highl may be

red anywhere. Registers payouts due

yer, so location ruiner need not leave

work

evans' New 7-Coin Head—last 3 coins visible—is absolutely gyp-proof. Prevents coin chute, grief and increases profits. Acknowledged by experts and big-time operators as the best in the business. Scores of other features plus Evans' famous engineering guarantee perfect performance.

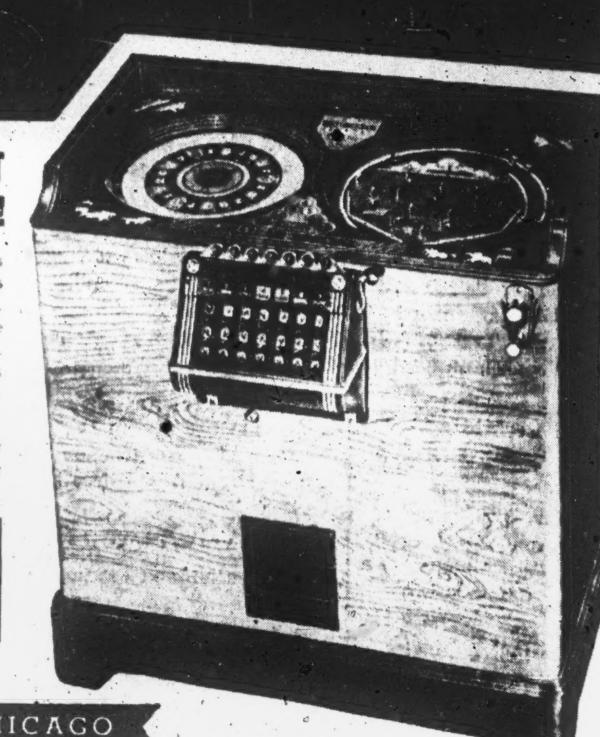
Write for Evans' Franchise" Plan - Biggest Money-Maker in the Industry! Get the Dope Quick for Your Territory!

PROFIT-SHARING PHONOGRAPH
BY-A-BLADE ROLLETTO SR.

WRITE FOR CIRCULARS!

At your Jobber or Write, Wire or Phone Haymarket 7630.

H C. EVANS & CO. 1520-1530 W ADAMS ST CHICAGO



EVANS NEW 7-COIN HEAD

PPENDIX

## THE BEST GAMES!

E HITS AT THE SHOW

These Games and All the Latest Comes Displayed at the Chicago Coin Machine Show Can Be Seen on Our Floor, Come In:

TORS, INC. 54 ELIZABETH AVE.

the rate of a part of the part

there is the same actions to recovery as about any actions to the renter of the renter

chures, thouble selection knobs and multiple mystery play, the game is absolutely tree from bugs and unconditionally known teed to deliver perfect perform-



IAL. Attending the preview given by were, left to right; Johnny McMahon,

# One. Zwo. Zhree

A NEW IDEA IN A PAYOUT MACHINE

Character of the control of the cont

M.

## MILLS NOVELTY COMPANY 4100 Fulletton Avenue, Chicago, III.



Exhibit B-9



Exhibit B-10



Get Advance Deliveries from

4223 W. LAKE STREET, CHICAGO, ILLINOIS 1320 S. HOPE STREET LAS ANGELES. CALL

Exhibit B-11

Your Newtost Distributor at Once!

B

# MODEL of AK-SAR-BEN 1. Free Came To-

Favorable legal opinions and judicial decisions establish the legality of Free Game model of Ak-Sar-Ben! Write at once for complete information on how to build up your territory with Free Game Ak-Sar-Ben!

MAKES OPERATING POSSIBLE and PROFIT-ABLE EVERYWHERE! WESTERN'S SENSA-TIONAL PAYOUT HIT NOW IN FREE GAME MODEL OPENS UP NEW TERRI-TORIES-REVIVES OLD LOCATIONS BECAUSE IT'S PROVED LEGAL EVERYWHERE!

#### MULTIPLE PLAY PAYOUT

6 Way Multiple Play - Mystery Chute-Variable Odds-First, Second, Third Purse Awards!

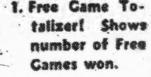
#### SINGLE-COIN PLAY PAYOUT

available for locations tavoring 1-coin play.

WESTERN EQUIPMENT & SUPPLY COMPANY

925 W. NORTH AVE.,

CHICAGO.



- 2. Veeder, Counter! Records Free Cames "Taken off" by store-keeper.
- 3. Handy Button Clears Free Games from totalizer.
- 4. Skill Shot! Makes Western's Free Game Ak-Sar-Ben a 1, 2 or 5 ball game at operator's option.
- 5. Coin Chute Takes Nickels even the Free Cames won have not been played off.
- 6. Switch Permits Operation of A Coin Chute without insertion of coin if player has Free Games coming.

for Bu Mf fre

Eu

is suctat a c wit fin sig

mo tro res loc

'lir

fas ne

ins

ne

825

act

bei

COL

Cu

Wh

up

op.

co is th

T. Gin of m E

A C!

01

G

E

h

18

A SOU APPROVED WAS M

# free play operators! GOLD CUP FREE PLAY MULTIPLE ONE-SHOT



PICK-EM "spottem" type novel, or free play game with "Spot-Selector" feature; VOGUE "spottem" type novelty or free play game with "Free Spots" feature and "Futurity" award; CHAM-PION high score novelty or free play game; GOLD MEDAL bumper-type multiple one-shot; GRAND NATIONAL pins-and-pockets "Grandstand style" multiple one-shot with reserve feature. See your jobber or write for folders.

BALLY MFG. COMPANY 2640 BELMONT AVENUE, CHICAGO





BALLY MFG. CO. 2640 BELMONT AVE., CHICAGO, ILL.



## ONE BALL CONSOLE

Incorporates a fascinating play idea. Bowl action combined with holes and kicker. Fast and thrilling.

Flashy illuminated back panel with race horse symbols.

Full payout control.

Motor driven selector and payout unst.

Precision built throughout:

Ticket, cash or check models available.

Zip to town with Zipper.

Stoner Corp.

WE'LL BE LOOKING FOR YOU

AT THE STEVENS DECEMBER 12th TO THE 15th



# UNITED'S FRIPLE PLAY

NEW, FLASHY 3-CARD IN-LINE GAME





Exhibit B-18







Famous Features

to move first 3 lines of card for best scoring arrangement

Princial galay and project smarting married proved Com your share

Bally Manufacturing Company, 2640 Belmont Ave., Chicago 18, Illinois

# BAFFLE BALL

The Biggest Amusement Value Ever Offered in Coin Machine History!







## **ANOTHER GOTTLIEB HIT!**

KELAY opens an entirely aw a gle of player appeal! An origial "come-on" innovation that means igger, longer play and higher profits or location owner and operator. Ince a player starts playing RELAY e'll continue, because to stop is to rouse a thought that the next player ill get the winning score. In playing ELAY if a ball strikes the Relay tale, the bells held by the three elay Traps automatically drop into igher score pockets. If at the end of se game, the Relay Hole remains unlled, the next coin inserted clears ne entire board of balls except those eld by the Relay Traps. These balls emain on the board until the Relay lole is struck. The possible high ores that these balls may yield serve s a powerful incentive for the next ame. Operate RELAY and learn hat a remerkable money-maker it rally is!

## A REAL BUY! RELAY TRAPS . TANTALIZ

ING SPINDLE SPRINGS . NEW 38" x 17" CABINET 4 FAMOUS A. B. T. CHUTE COILED RE BOUND SPRING . POSITIVE ANTI-TILT . FLOOR LEVEL GAUGE-AND MANY OTH ER QUALITY FITTINGS NEVER BEFORE FOUND IN A LOW PRICED MACHINE!

Complete with Legs

Electric Bell which rings automat ically each time ball strikes Relay Hole, extra \$1.50

2736-42 N. PAULINA ST., CHICAGO, ILLINOIS

NEW YORK! 20 W. 17th St.

DALLAS: 2118 Jackson St. ONDON, ENGLAND: Burrows Automatic Supply Co., Ltd., 78-81 Fetter Lane

LOS ANGELES: 1347. W. Washington Bivd.

MINNEAPOLIS: 1643 Hennepin Ave.

CANADA-D. Gottlieb Co., 115 Phoenix Bidg., Winnipeg, Canada

## Greatest Value in the Low Priced Field!

Exhibit C-3



A NEW SENSATIONAL
JIGSAW PUZZLE IN LIGHTS

fIREI—The cry that brings men, women and children to their feet. Craning, looking, running to see the sight. The sound of fire appeartus, the piercing shriek of the siren, the speciacle of flame and the crackle of fire. all are deventatingly absorbing. thrilling to the n'th degree!

And, now, for the first time in coin machine history, all the fascinating excitement of a fire, reproduced mechanically, is offered to the public in a new game-wonder. FIRE CHIEF!

#### HOW IT IS PLAYED

Tax Paid

F.O.B. Chicago

Tax hight-up rack bursts into flame Aim for the filled, and rings the fire alarm, two red lights flash and the "S.O.S. Light" on the rack is illuminated! If the machine is tilted the S.O.S. light is turned off and play is void.

Now skillfully extinguish the blaze by directing the ten one inch merble balls to certain pockets. Each of the sixteen pockets when filled extinguishes one to four of the sixteen sections of the ship that is on fire. It is possible to out out the blaze with four balls by filling each of the four "Life. Preserver" pockets, each controlling four sections. Two balls placed in both

the "fore blast" and "aft blast" holes will extinguish the blare. A shot into the "Dynamite" hole snuffs out the entire fire. Awards are based on the least number of balla required to extinguish the fire. Awards may also be based on score, with one odd colored ball-lor double.

#### A MECHANICAL WONDER

FIRE CHIEF is remarkably simple in construction Every working detail has been placed through exhaustive tests, and carefully studied. Every possibility for imperfection in operation has been eliminated FIRE CHIEF will give steady, trouble have performance for months and months. It is not an experiment—but a sound proven attraction that will have undisputed dominance in any location (hoice of batteries or transformer at same price.

#### MONEY BACK GUARANTEE

You can place full confidence in FIRE CHIEF'S earning capacity and in its ability to "take it." A seven day money-back quarantee backs each machine. You take no risk! The game MUST BE GOOD, or else this liberal quarantee could not be offered So don't lose a moment's time Come along with the FIRE CHIEF! Place your order now!









Exhibit C-8